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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/686,689

10/15/2003

Nirupama Kenkare

241501-1480

9176

24504

7590

10/24/2005

THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP  
100 GALLERIA PARKWAY, NW  
STE 1750  
ATLANTA, GA 30339-5948

EXAMINER

WONG, TINA MEI SENG

ART UNIT

PAPER NUMBER

2874

DATE MAILED: 10/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center"><b>Office Action Summary</b></p>	<p>Application No.</p> <p>10/686,689</p>	<p>Applicant(s)</p> <p>KENKARE ET AL.</p>	
	<p>Examiner</p> <p>Tina M. Wong</p>	<p>Art Unit</p> <p>2874</p>	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 September 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 1-9 and 18-27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-17 and 28-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-30 are subject to restriction and/or election requirement.

**Application Papers**

- ~~9) ☒ The specification is objected to by the Examiner.~~
- 10) ☒ The drawing(s) filed on 08 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

This Office action is responsive to Applicant's response submitted on 08 September 2005. The replacement drawings were received on 08 September 2005. These drawings are accepted by the Examiner.

#### *Claim Objections*

Claim 30 is objected to because of the following informalities: The Examiner believes Line 4 of claim 30 is a duplicate line of method step (c). Appropriate correction is required.

#### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-17 and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,782,176 to Greer in view of U.S. Patent 6,849,333 to Schissel et al.

In regards to claims 10 and 16, Greer discloses a method of forming an optical fiber comprising the steps of

- forming an optical fiber (12, 14) (Figure 1b)
- applying a layer of primary coating material to the optical fiber
- applying a layer of color coating material to the optical fiber (Column 5, Lines 20-40)
- applying a secondary coating material to the optical fiber

where each of the layers are applied prior to the other layers being cured. (Column 4,

Lines 10-20, wet-on-wet application)

But Greer fails to specifically disclose drawing an optical fiber. Greer simply states an optical fiber is formed but does not elaborate on how the fiber is formed. However, drawing an optical fiber before applying several coating materials and curing is a commonly applied approach to forming optical fibers. For example, Schissel et al discloses drawing an optical fiber before applying a primary and secondary coat and UV curing the coats to form a coated optical fiber. Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have drawn an optical fiber before applying the coating layers.

In regards to claim 11, Greer discloses the layer of color coating material to be disposed and adjacent to the optical fiber (12, 14) and the layer of the primary coating material (16).

In regard to claim 12, Greer discloses the layer of color coating material disposed between and adjacent the layer of the primary coating material (16) and the layer of the secondary coating material (20).

In regards to claims 13 and 17, Greer discloses the step of applying a layer of the primary coating material further comprising applying a first layer of primary coating material (16) adjacent to the fiber (12, 14) and applying a second layer of primary coating material (18) between the adjacent the first primary coating material (16) and the secondary coating material (20).

In regards to claim 14, Greer discloses a layer of primary coating material (16) disposed between and adjacent the optical fiber (12, 14) and the layer of secondary coating material (18) and the layer of color coating material is disposed adjacent the layer of secondary coating (20).

In regards to claim 15, Greer discloses an optical fiber being formed.

In regards to claim 28, Greer discloses a system for forming an optical fiber comprising

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- means for forming an optical fiber
- means for applying a layer of primary coating material to the optical fiber
- means for applying a layer of color coating material to the layer of the primary coating material before the application of a layer of secondary coating material
- means for applying a secondary coating material to the layer of the color coating material and
- means for curing the coated materials thus applied subsequent to the application of the last applied coating material.

But Greer fails to specifically disclose drawing an optical fiber. Greer simply states an optical fiber is formed but does not elaborate on how the fiber is formed. However, drawing an optical fiber before applying several coating materials and curing is a commonly applied approach to forming optical fibers. For example, Schissel et al discloses drawing an optical fiber before applying a primary and secondary coat and UV curing the coats to form a coated optical fiber. Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have drawn an optical fiber before applying the coating layers.

In regards to claim 29, Greer discloses a means for applying a layer of primary coating material further comprising applying a first layer adjacent the optical fiber and a means for applying a second layer adjacent to the first layer.

In regards to claim 30, Greer discloses a method of forming an optical fiber comprising the steps of

- forming an optical fiber (12, 14) (Figure 1b)
- applying a first layer of coating material to the optical fiber (16)
- applying a second layer of coating material to the optical fiber (18)
- applying a third layer of coating material to the optical fiber (20)

- simultaneously curing the first, second and third layers after the application of the third layer.

But Greer fails to specifically disclose drawing an optical fiber. Greer simply states an optical fiber is formed but does not elaborate on how the fiber is formed. However, drawing an optical fiber before applying several coating materials and curing is a commonly applied approach to forming optical fibers. For example, Schissel et al discloses drawing an optical fiber before applying a primary and secondary coat and UV curing the coats to form a coated optical fiber. Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have drawn an optical fiber before applying the coating layers.

### ***Response to Arguments***

The applicant's arguments, filed 08 September 2005, with respect to the rejection(s) of claim(s) 10-15, have been carefully studied and re-evaluated by the examiner. The arguments advanced therein, considered together with the amendments made to the claims, are persuasive and the rejections based upon prior art made of record in the previous Office Action are withdrawn. In view of further search, however, and the consequent discovery of relevant prior art documents, a new rejection is set forth. This action is **not** made final.

### ***Conclusion***

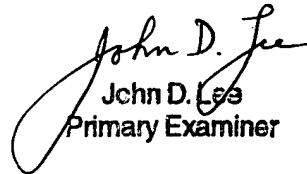
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tina M. Wong whose telephone number is (571) 272-2352. The examiner can normally be reached on Monday-Friday 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
TMW

  
John D. Lee  
Primary Examiner